

PENNSYLVANIA COASTAL ZONE MANAGEMENT PROGRAM

BARBER PROPERTY SURVEY

Prepared By:

**HILL ENGINEERING, INC.
8 Gibson Street
North East, PA 16428**

For:

**NORTH EAST TOWNSHIP
and
NORTH EAST BOROUGH**

MAY, 1996

CZM Project No. CZ1:95.05PE

**A REPORT OF THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
PURSUANT TO NOAA AWARD NO. - NA270Z0253**



This project was financed in part by North East Township, North East Borough and in part through a Federal Coastal Zone Management Grant from the Pennsylvania Department of Environmental Protection with funds provided by the National Oceanic and Atmospheric Administration (NOAA). The views expressed herein are those of the author(s) and do not necessarily reflect the view of NOAA or any of its subagencies.

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SURVEY FINDINGS NARRATIVE
BARBER PROPERTY RETRACEMENT
NORTH EAST TOWNSHIP

- Physical field survey functions have long since been extended as far as is possible.
- Boundaries of the two (2) westerly described parcels, representing some 10 acres or 45% of the overall Barber holdings, are discernable, adequately consistent upon the existing record, in-place, and describable for formal conveyance purposes at this time.
- Cursory record research initiatives undertaken by this office, absent more detailed title inputs by others at the outset as is fairly common practice, our preference, and seemingly warranted here, confirm deed description flaws sufficient to prevent definitive location of easterly Barber boundary, common with other lands of Thoreson and/or Dohler, until such time as additional findings/determinations are available via actions of others to consider and elect one or more of the supplemental and alternative processes appearing to the option of any or all parties to the proposition, thus facilitating resolution of the common boundary matter at hand.
- Optional courses having potential to clarify or clear this issue, facilitating determination of a common Barber/Thoreson and/or Dohler boundary supported either by new/material record discovery (if any) varying significantly for that now available, a legal decision of a hearer of fact having jurisdiction in such matters, or agreement by and between Barber and Dohler satisfactory to the Township, would include, but are not necessarily limited to, the following:
 - (1) Extended record research via qualified and experienced title abstractor. This option carries additional cost, with little expectation (in our view) and no guarantee same would resolve the issue.
 - (2) The Township, with concurring advice of its Legal Counsel, could take title upon a deed of conveyance containing either a generalized last line call, e.g., "Thence southerly and by the westerly lines of lands now of Thoreson and/or Dohler to the place of beginning, or calls subscribing to any of the east line/forced closure combination options shown but not certified on our plat of survey. While not recommended absent knowledge of the Township's intent as to public uses of this real estate (If "soft" or open space related activities, the easterly boundary definition would not be as critical as would be the case with

future uses which might involve placement of buildings/permanent structures in easterly reaches of the Barber property acquisition), and qualified to the extent that the apparently flawed record has nevertheless adequately prevailed for Barber purposes over the years, property conveyance/acquisition via this venue could function to increase Dohler involvement, if not transfer complete obligation unto them, to agree with same or prove ownership to any other west line they may elect to claim.

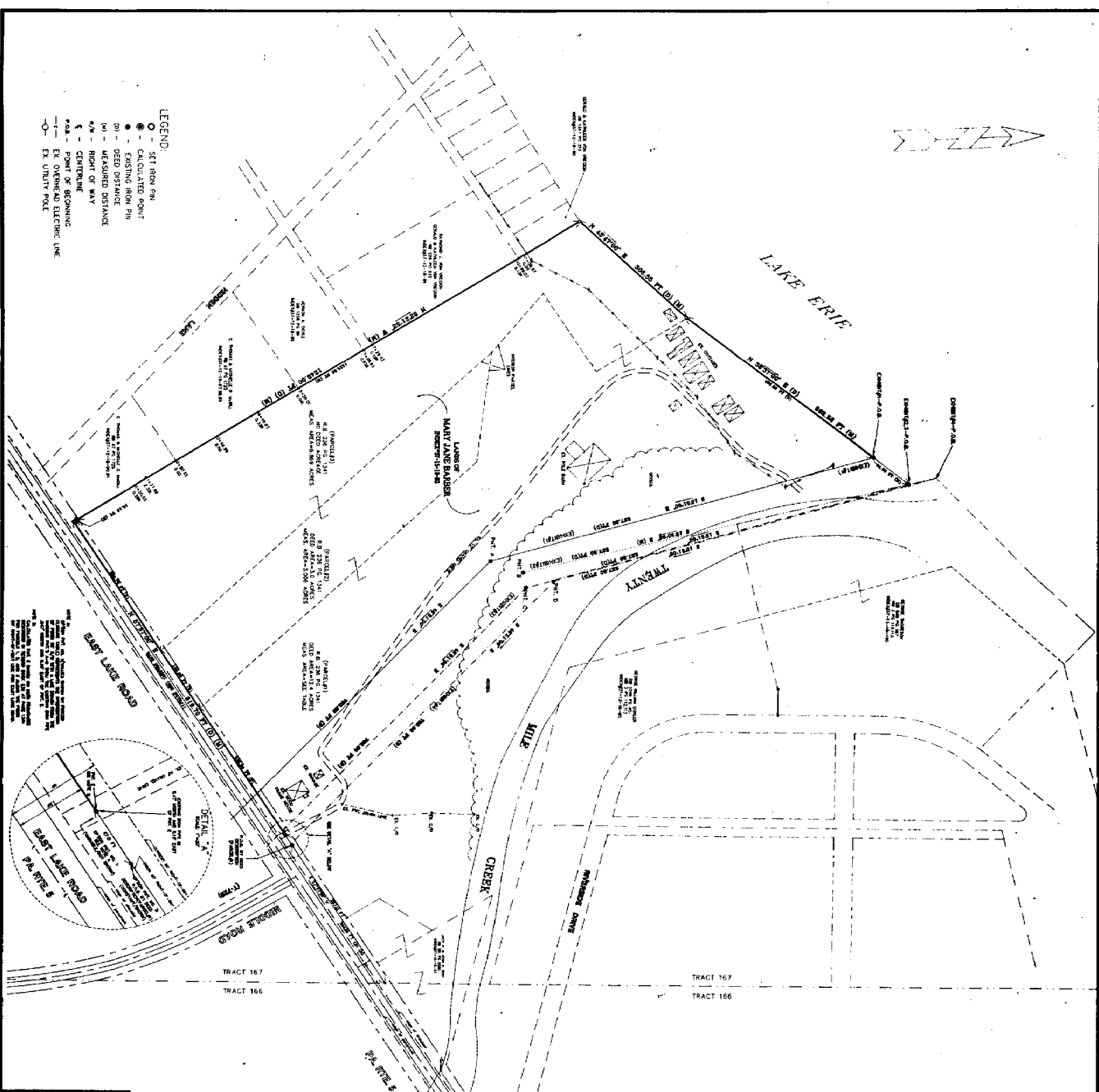
- (3) Set the common boundary at issue via recorded Boundary Line Agreement negotiated for entry by and between Barber (for Township) and Dohler. This is the recommended course of action at this juncture and our office is prepared to lead or participate in discussions with George D. in this regard upon instruction of the Township to do so with advice of Attorney Jeffery.

HILL ENGINEERING, INC.

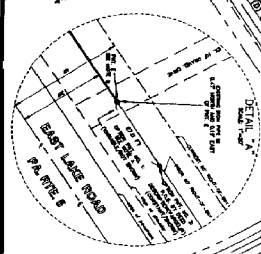


David L. Buesink, CE/PLS

March 21, 1996



- LEGEND**
- SET IRON PIN
 - CALCULATED POINT
 - EXISTING IRON PIN
 - DEED DISTANCE
 - MEASURED DISTANCE
 - RIGHT OF WAY
 - CENTERLINE
 - POINT OF BEGINNING
 - EXISTING UTILITY POLE



FORCED CLOSURE OPTIONS - PARCELS

PARCEL	OWNER	AREA (AC)	VALUE (\$)	REMARKS
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NOTES:

- 1) Record Owner of subject real estate is Mary Jane Barber by document entitled "Distribution of Real Estate" for the Estate of Robert A. Barber, Decedent, as recorded in the Erie County Court Records, Volume 18, Page 1832. The subject real estate is located in Tract 166, Erie County, Ohio.
- 2) This survey was prepared based on up-to-date (the latest) as is evidenced by the survey. As such, boundary lines are subject to local records of record and may be subject to change.
- 3) A town, county, or other jurisdictional improvement is shown on the subject premises as indicated herein.

SURVEYOR'S CERTIFICATION

I, the undersigned Professional Land Surveyor, hereby certify that this map is a true and accurate representation of a survey made upon the ground by me or under my direct supervision and in accordance with the provisions of the Ohio Revised Code, Chapter 163, which survey can not and does not constitute the eastern line of Barber due to apparent flaws in available record preventing definitive retracement and delineation thereof at this time.

Don L. Buehler, C.E., P.L.S.
Don L. Buehler, C.E., P.L.S.
P.O. License #00657-E

REVISIONS

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MARY JANE BARBER PROPERTY

REIL ENGINEERING, INC.

1 of 1

NOAA COASTAL SERVICES CTR LIBRARY



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